

Re: Are you willing to talk about this?

From: TGP482 (raulmateas20@gmail.com)

To: acerthorn@yahoo.com

Date: Thursday, September 16, 2021, 05:14 PM CDT

I really cba to deal with your shit lol it's such a big waste of my time, your time and the judges time

On Thu, Sep 16, 2021 at 11:00 PM TGP482 <raulmateas20@gmail.com> wrote:

Alright I agree with that, I'll delete the video

On Thu, Sep 16, 2021 at 10:09 PM acerthorn <acerthorn@yahoo.com> wrote:

Since you seem to already have your mind made up on this matter, let me at least say this much:

That stream was a *collab* stream. Under U.S. Copyright law, that constitutes a "joint work," and that means that Polano and I are co-authors, rather than him simply owning his stream while I own mine.

We are co-authors.

And that gives me a copyright interest in that stream.

Does that alter your perception of the issue in any way, shape, or form?

On Thursday, September 16, 2021, 11:08:03 AM CDT, TGP482 <raulmateas20@gmail.com> wrote:

Dear Mr. David Stebbins,

The clip was taken from SofiannP's Fall Guys collab stream not yours, hence why it was a bogus claim. Had it been your stream then I agree that you have the right to remove the video by any means. I have both streams saved on my PC so I can easily prove that the stream was indeed Sofiann's.

I know the real reason why you removed it, it's because you'd lose any viewers you already have if people saw you for who you actually are. Stop trying to harass me with your bogus claims and stop trying to "scare" me into doing whatever you want.

By any means show me why you own the copyright to the video if you're so confident.

And if you wanna waste another 3 months of your life, tax payers money and everyone else involved in the case then by all means you can sue me.

Sincerely,
TGP482

On Thu, Sep 16, 2021 at 9:13 AM acerthorn <acerthorn@yahoo.com> wrote:

Dear Mr. Mateas,

I have received notice of your Counter-Notification. In it, you very angrily claim that

I took down a clip from a video that I do not own the copyright to. This is the basis for your Counter-Notification.

Tell me: Are you willing to listen to reason and revoke your counter-notification if you realize that I do indeed have a copyright interest in the clip you used? Because I believe I can show you that, but only if you are willing to listen. If you, like SofiannP, already have your mind made up about the issue, then I will not be able to convince you that I do indeed own the copyright.

Tell me, Mr. Mateas: Did you actually consult with an attorney before you posted that clip? Or were you simply assured by SofiannP himself that I do not own the copyright to that clip? Because if it is the latter, then I highly recommend you reconsider your position. In my interactions with SofiannP, he has repeatedly demonstrated that he does not know the first thing about copyright law, yet acts with the smug, pompous self-entitlement that you would expect from a seasoned attorney who has been practicing copyright law for decades.

- He believes that "fair use" requires little more than throwing in some token criticism and/or commentary into an otherwise verbatim upload, when in reality, simply saying it is "a review" only gets your case for fair use in the door.
- He states my accidental livestream is not copyrighted, when in fact I have it registered with the copyright office.
- He believes that the judge in our case has already decided that his videos are fair use and thrown out my case accordingly, but the court order he points to literally says the complete opposite of that.

Like I alluded to earlier, SofiannP has already made up his mind about the matter, so no matter what I tell him, and no matter what evidence I show him, he refuses to listen.

Will you be that stubborn as well? Or are you willing to admit you are wrong and hear me out, and then withdraw your counter-notification if you realize that you were wrong?

We can go to court over this. But I am fairly confident you will lose.

So are you willing to talk about this?

Sincerely,
Acerthorn